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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,541	12/05/2003	Yoshikazu Ikenoue	05058/16306	8805
24367	7590	08/17/2006	EXAMINER	
SIDLEY AUSTIN LLP 717 NORTH HARWOOD SUITE 3400 DALLAS, TX 75201				LU, TOM Y
		ART UNIT		PAPER NUMBER
		2624		

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/728,541	IKENOUE ET AL.
	Examiner	Art Unit
	Tom Y. Lu	2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 June 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 42-49 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 42-49 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. 08/327,223.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/17/2006</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 42-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldman (U.S. Patent No. 4,837,840).

a. Referring to Claim 42, Goldman discloses a data processor (figure 4) comprising:
a reading device which reads an image (light sensor 54 and data sensor 56 read an image of a banknote as shown in figure 1); an extracting device which extracts additional data embedded in the image data read by said reading device (data sensor 56 extracts additional data embedded in marks 12 of the banknote image as shown in figure 1); and a decision device which decides, based on the additional data extracted by said extracting device, whether the image data is counterfeited or not (column 3, lines 27-32. the examiner notes correlator 62 is the claimed “a decision device”).

b. Referring to Claim 43, Goldman discloses a measuring device which measures an area of a pattern included in the image, wherein said decision device performs the decision by comparing the area measured by said measuring device which the additional data (light sensor 54 measures pixel densities in the area 10 on the

banknote image in figure 1, column 8, lines 25-67; the pixel densities must conform with the data derived from the marks 12).

- c. Referring to Claim 44, Goldman discloses a counter which counts a total number of pixels in the image having a density equal to or larger than a predetermined value, wherein said decision device performs the decision by comparing the number of pixels measured by said counter with the additional data (as the examiner explained in claim 43, the pixel densities in different pixel areas 70, 72 and 74 as shown in figure 5 are measured and defined by comparing with reference signals A, B and C as shown in figure 3. The examiner further notes a counter is inherently included in Goldman's system to determine the density level of pixel areas 70, 72 and 74 as shown in figure 5 because density is equal to $\frac{\text{Number of pixels}}{\text{area}}$, and the number of pixels must be counted in order to derive density level. See figure 5 for decision device comparison).
- d. Referring to Claim 45, a data processor comprising: a reading device with reads an image; an extracting device which extracts a plurality of sets of additional data embedded in image data read by said reading device; and a decision device which decides whether the image data is counterfeited or not, by comparing the plurality of sets of additional data extracted by said extracting device (the examiner notes the only unaddressed limitation is directed to "a plurality of sets of additional data", and the examiner interprets each bar in barcode 12 to be a set of additional data, which is also shown in figure 5).
- e. With regard to Claim 46, see explanation in Claim 42.

- f. With regard to Claim 47, see explanation in Claim 43.
- g. With regard to Claim 48, see explanation in Claim 44.
- h. With regard to Claim 49, see explanation in Claim 45.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

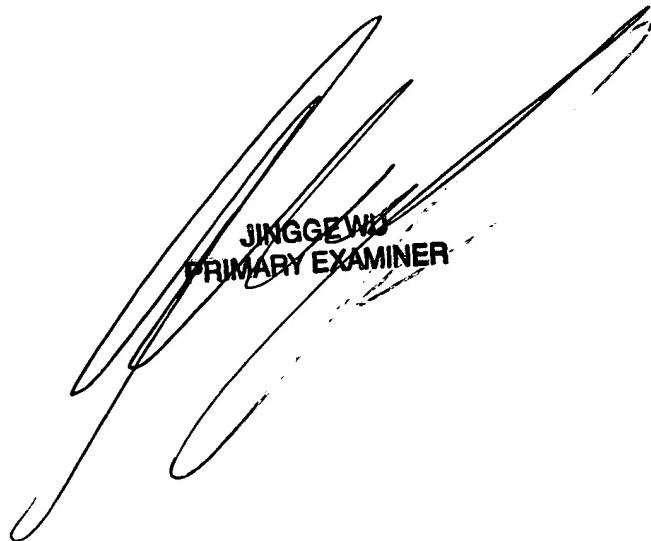
- a. Goldman, U.S. Patent No. 4,423,415, see abstract for authenticating an object by comparing a reference space 14 with a reference numeral 10 in cryptographic form.
- b. Blaylock et al, U.S. Patent No. 5,550,932, see figure 1, column 5, lines 48-64, for verifying authenticity of a check by decoding encoded serial number in binary code 24.
- c. Buttifant, U.S. Patent No. 4,749,087, see figure 1.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Y. Lu whose telephone number is (571) 272-7393. The examiner can normally be reached on 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571)-272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TYL



JING GE WU
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "JING GE WU", is overlaid on a large, stylized, slanted oval shape. Below the oval, the words "PRIMARY EXAMINER" are printed in capital letters.